

S. 1142
[Muskie]

Purpose: Amends Freedom of Information Act (Title 5, section 522). Introduced - 8 March 1973.

Comment:

The amendments overturn the recent Supreme Court decision in the Patsy Mink case which denied court review of classified material exempt under the Act. The amendments would require a court review and court decision as to the sufficiency of a classification. The amendments also expedite an agency's handling of requests; narrow the definition of exempted material; require annual reports to Congress; and provide for payment of court and attorney fees.

Problem:

The amendments would expose Agency material to declassification through court action. The courts could force disclosure and overrule a decision of the Director of Central Intelligence. This clearly cancels out the extensive efforts to tighten espionage laws, seek injunctions and all other efforts to assure the protection of intelligence sources and methods.

Status:

As of 15 March - referred to Senate Judiciary & Government Operations Committee.